**REMARKS**

Claims 1-11 are pending in the instant application. Claims 1-11 have been subjected to a restriction requirement as follows:

Group I, claims 1 and 6, drawn to a method for diagnosing prostate cancer, comprising detecting a change in the level of the CSG polynucleotide of SEQ ID NO:1;

Group II, claims 1 and 6, drawn to a method for diagnosing prostate cancer comprising detecting a change in the level of the CSG polypeptide of SEQ ID NO:2;

Group III, claims 2, 4 and 6, drawn to a method for diagnosing metastases or onset of metastasis of prostate cancer, comprising detecting an increase in the level of the CSG polynucleotide of SEQ ID NO:1;

Group IV, claims 2, 4 and 6, drawn to a method for diagnosing metastases or onset of metastasis of prostate cancer, comprising detecting an increase in the level of the CSG polypeptide of SEQ ID NO:2;

Group V, claims 3, 5 and 6, drawn to a method for staging or change in stage of prostate cancer, comprising detecting the level of the CSG polynucleotide of SEQ ID NO: 1;

Group VI, claims 3, 5 and 6, drawn to a method for staging or change in stage of prostate cancer, comprising detecting the

level of the CSG polypeptide of SEQ ID NO: 2;

Group VII, claim 7, drawn to an antibody which specifically binds to the CSG polypeptide of SEQ ID NO:2;

Group VIII, claims 8 and 9, drawn to a method of imaging prostate cancer in a patient, using an antibody which specifically binds to the CSG polypeptide of SEQ ID NO:2; and

Group IX, claims 10 and 11, drawn to a method for treating prostate cancer, comprising administering an antibody which specifically binds to the CSG polypeptide of SEQ ID NO:2, or administering an antibody which specifically binds to the CSG polypeptide of SEQ ID NO:2, and which is conjugated to a cytotoxic agent.

The Examiner suggests that the inventions of Groups I-IX do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical feature.

Applicants respectfully traverse this restriction requirement.

At the outset, it is respectfully pointed out that the Examiner's suggestion that "the inventions listed as Groups I-IX do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or

corresponding special technical feature" contradicts both the Search Report and the Written Opinion issued in the PCT application of which this case is the U.S. National Stage.

Further, Applicant respectfully disagrees with the Examiner that methods for detecting a polynucleotide or a polypeptide encoded thereby and antibodies against that polypeptide do not share a single general inventive concept and corresponding technical feature. Clearly, the CSG polypeptide is a single general inventive concept linking all of the Groups.

In addition, MPEP §803 provides two criteria which must be met for a restriction requirement to be proper. The first is that the inventions be independent or distinct. The second is that there would be a serious burden on the Examiner if the restriction is not required. A search of the prior art relating to all of the claims has already been performed in the PCT application. Thus, there should be no burden placed upon the Examiner by including all claims in this case, since the full claim set was already searched and examined in the PCT application.

Further, a search of prior art relating to the CSG polypeptide would also reveal references teaching polynucleotides encoding this polypeptide as well as references teachings uses

for the CSG polypeptide and polynucleotide.

Accordingly, since this Restriction Requirement does not meet both criteria as set forth in MPEP § 803 to be proper, it is respectfully requested that this Restriction Requirement be withdrawn.

However, in an earnest effort to be completely responsive, Applicants elect to prosecute Group I, claims 1 and 6, SEQ ID NO:1, with traverse.

The Examiner also suggests that upon election of any of Groups I-VI, further election to the species of cell, tissues or bodily fluid is required.

Applicants respectfully traverse this species election requirement.

Clearly any search of prior art relating to diagnostic methods for prostate cancer using a specified CSG would reveal references teaching diagnostic methods in cells, tissues, and bodily fluids. Thus, inclusion of cells, tissues and bodily fluids in one claim can hardly be considered a multiplicity of species requiring an unduly extensive and burdensome search.

Further, many pathology books include bodily fluids in lists of exemplary tissues and cells are found in both tissues and bodily fluids. Accordingly, it is requested that reconsideration

be given to whether cells, tissues and bodily fluids are really patentably distinct species.

Thus, since this species election requirement appears to fail to meet the guidelines for a proper species requirement as set forth in MPEP § 808.01, withdrawal is respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect tissues, with traverse.

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

Respectfully submitted,

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